

**CIVIL SERVICE COMMISSION MINUTES**

**APRIL 20, 2005**

A meeting of the Civil Service Commission was held at 2:30 p.m., in the 7<sup>th</sup> Floor Tower of the County Administration Building, 1600 Pacific Highway, San Diego, California.

Present were:

A.Y. Casillas  
Barry I. Newman  
Francesca Krauel

Absent was: None

Comprising a quorum of the Commission

Support Staff Present:

Patt Zamary, Executive Officer  
William D. Smith, Senior Deputy County Counsel  
Selinda Hurtado-Miller, Reporting

**Approved  
Civil Service Commission**

**May 18, 2005**

**COUNTY OF SAN DIEGO  
CIVIL SERVICE COMMISSION MINUTES  
APRIL 20, 2005**

2:00 p.m.            CLOSED SESSION: Discussion of Personnel Matters  
and Pending Litigation

2:30 p.m.            OPEN SESSION: 7<sup>th</sup> Floor (Tower), 1600 Pacific  
Highway, San Diego, California

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<u>Discussion Items</u>	<u>Continued</u>	<u>Referred</u>	<u>Withdrawn</u>
4	5,7		11

COMMENTS: Motion by Newman to approve all items not held for  
discussion; seconded by Krauel. Carried.

**CLOSED SESSION AGENDA  
County Administration Center, Room 400B  
(Notice pursuant to Government Code Sec. 54954.2)  
Members of the public may be present at this  
location to hear the announcement of the  
closed session agenda.**

A.    Gordon Austin: Everett Bobbitt, Esq., on behalf of  
2005-02, appealing an Order from the Sheriff's  
Department.

**OPEN SESSION AGENDA  
County Administration Center, 7<sup>th</sup> Floor (Tower)**

NOTE: Five total minutes will be allocated for input on Agenda  
items unless additional time is requested at the outset and  
approved by the Commission President.

**ELECTION**

1.    Election of Vice-President of the Civil Service Commission  
for the remainder of 2005.

**Motion by Krauel to nominate Barry I. Newman as Vice-  
President; seconded by Casillas. Carried.**

**MINUTES**

2.    Approval of the Minutes of the regular meeting of March 16,  
2005.

**Approved.**

## **CONFIRMATION OF ASSIGNMENT**

3. Commissioner Krauel: Julie Buechler, Esq., on behalf of **2005-05**, appealing an Order from the Sheriff's Department.

**Confirmed.**

## **DISCIPLINES**

### **Findings**

4. Gordon Austin: Everett Bobbitt, Esq., on behalf of **2005-02**, appealing an Order from the Sheriff's Department.

### **FINDINGS AND RECOMMENDATIONS:**

The matter of the appeal of 2005-02, from a written Order of Discipline from the Sheriff's Department was presented to the Civil Service Commission. The Commission appointed Commissioner Gordon Austin, one of its members, to hear the appeal and submit findings, conclusions, and recommendations to the Civil Service Commission. Thereafter, the matter was duly noticed and came on for hearing on March 16, 2005. Commissioner Newman read the Conclusions on behalf of former Commissioner Austin.

Based on the Findings and Conclusions of former Commissioner Austin, the following recommendations were proposed:

That the Order of discipline be affirmed; that the Commission read and file this report; and that the proposed decision shall become effective upon the date of approval by the Civil Service Commission.

**Motion by Newman to approve Findings and Recommendations;  
seconded by Krauel. Carried.**

## **INVESTIGATIONS**

### **Requests**

5. Fern Steiner, Esq., on behalf of **Linda Stirpe**, Licensed Mental Health Clinician, Health and Human Services Agency (HHSA), requesting a Rule XI investigation regarding the conduct and operations of the Department of Human Resources.

**RECOMMENDATION: Deny Request.**

**Continued.**

6. **Tommy L. Coone**, Licensed Vocational Nurse, HHSA, requesting a Rule XI investigation regarding the conduct and operations of the Department of Human Resources and the HHSA.

RECOMMENDATION: Grant Request.

English Bryant, Sr. Deputy County Counsel, explained that it is HHSA's and DHR's positions that Mr. Coone's request for a Rule XI Investigation is premature since his disability retirement is pending. Ms. Bryant stated that the Agency and County Counsel are willing to meet with Mr. Coone at his earliest convenience in an attempt to reach a mutually satisfactory outcome.

Mr. Coone addressed the Commission requesting a Rule XI investigation regarding the conduct and operations of the HHSA and DHR as they pertain to his employment status at the Psychiatric Hospital.

The Commission encouraged the earliest possible meeting date for the benefit of all parties involved. In the interim, however, should a satisfactory solution not be reached, the Commission voted as follows:

**Motion by Krauel to conduct a Rule XI Investigation; seconded by Newman. Carried. Commissioner Newman assigned.**

7. Richard Pinckard, Esq., on behalf of the **District Attorney Investigators Association**, requesting a Rule XI investigation regarding the conduct and operations of the Department of Human Resources.

RECOMMENDATION: Deny Request.

**Continued.**

## **SELECTION PROCESS**

### **Findings**

8. **Joseph Barry**, appealing the removal of his name by the Department of Human Resources from the employment list for Deputy Sheriff-Detentions/Court Services.

RECOMMENDATION: Ratify. Appellant has been successful in the appellate process provided by Civil Service Rule 4.2.2.

**Item No. 8 ratified.**

## **OTHER MATTERS**

### **Extension of Temporary Appointments**

9. Health and Human Services Agency
  - A. 3 Residential Care Workers I (Nida Posadas, Jack Martinez, Sherry Garcia)
  - B. 4 Residential Care Workers II (Michelle Martin, Maribel Hernandez, Elva Carus, Zelalem Hagos)
10. Department of Planning and Land Use
  - A. 1 Forestry Coordinator (Fredrick Koepp)
  - B. 1 Geographic Information Systems Analyst Trainee (David Barbour)

RECOMMENDATION: Ratify Item Nos. 9 & 10.

**Item Nos. 9 and 10 ratified.**

## **INFORMATION**

11. John Jimenez, Esq., on behalf of **Anastasia Gardner**, former Detention Information Assistant, withdrawal of appeal from an Order to Terminate and Charges from the Sheriff's Department. (Commissioner Casillas)

**Withdrawn.**

12. Public Input.

ADJOURNED: **3:00 p.m.**

**NEXT REGULAR MEETING OF THE CIVIL SERVICE COMMISSION: MAY 18, 2005**